

BARBARA S. ROSENBERG  
ANN KANE SEIDMAN  
ALBERT J. SLAR  
SHELLEY STARK  
BRUCE L. THALL

RECEIVED

MAY 25 1976

EPA, REGION III  
OFFICE OF REGIONAL ADMINISTRATOR



BERNARD M. BORISH  
CHAIRMAN OF THE BOARD

May 19, 1976

Daniel J. Snyder, III  
Regional Administrator  
Environmental Protection Agency  
Region III  
6th and Walnut Streets  
Philadelphia, Pennsylvania 19106

RECEIVED  
WATER PROGRAMS DIVISION

JUN 4

EPA, R3

Dear Dan,

On April 31, 1976, your Agency issued a Public Notice of its intent to amend the City of Philadelphia's NPDES permit for the Southwest Water Pollution Control Plant (Permit No. PA 0026671). The purpose of this amendment was to increase the flow limitation in the permit from 167 million gallons per day (MGD) to 190 MGD to accomodate wastewater flows from Delaware County.

As you know, the Southwest plant is already hydraulically overloaded, its design capacity being only 136 MGD. The Plant was designed for primary treatment. The pollution removal efficiency is poor. For example, in February 1976, the actual performance of the Southwest Plant in terms of BOD removal was 17% (the permit condition is 25% removal). The required level of pollution removal would have increased to 40% in February, but Philadelphia has appealed that permit condition. The appeal is now stalled pending a decision by EPA's General Counsel. Additionally, the actual flows to the Southwest Plant are above the permit conditions of 167 MGD. For example, in January, 1976 the 30 day average flow was 175 MGD. Obviously, on some days the flow was much higher.

Now, you are proposing to increase the flow to this plant. Originally, increased flows were prohibited at the Southwest Plant by EPA and the Pennsylvania Department of Environmental Resources until the plant capacity was expanded. Later, this ruling was modified so that increased flows would be allowed if Philadelphia was "on schedule" to upgrade the Southwest Plant to accomodate the additional flow. The present position is a reversal of both former positions.



-2-

May 19, 1976

The Southwest Plant is not being upgraded according to schedule. Two tasks are necessary prerequisites to completing the expansion: construction of aeration tanks and secondary clarifiers. It is my understanding that bids on these components were submitted to the City in August and October 1975. Daniel J. Keating, Co. was the low bidder for construction of both components. So far, however, no contract has been awarded by the City Procurement Department. This decision was based on "fiscal constraints." It is my understanding that Keating was only bound by his low bid for ninety days and that the City may have to re-advertise the contracts.

According to EPA estimates, a contract of this size (\$150,000,000 for the total expansion of the Southwest Plant) would employ approximately 2000 workers onsite and 2000 workers offsite. The "fiscal constraints" reported by the Philadelphia Procurement Department are very interesting in light of the City's decision to go ahead with the Center City Commuter Rail Connection.

Although I realize that some benefits may accrue from the Delcora connection, the costs have not been sufficiently analyzed. For example, no Environmental Impact Statement was done to assess the growth inducing impact of this sewer interceptor.

The issue of growth was dealt within an off-hand manner in the "Environmental Assessment Statement for the Construction of a New 210 MGD Water Pollution Control Plant at the Southwest Water Pollution Control Facility (EAS)," prepared by the City of Philadelphia Water Department. That EAS stated at p. 4:

"If major growth occurs as a result of this project, it would have to occur in those service areas contiguous to Philadelphia. Treatment capacity has been provided in the design of Southwest to accommodate suburban growth.

"While the project per se will not provide directly for suburban growth, the regional nature of the plant, its treatment capacity and the associated economics of scale can serve to discourage proper consideration of suburban wastewater treatment alternatives. The economic soundness of "building an interceptor to Philadelphia," may tend to over-



May 19, 1976

shadow environmental considerations and planning, such as low stream flow augmentation and extra-basin exportation of water.

However, several basic restraints are available, to dissuade haphazard and unwanted growth patterns.

The City of Philadelphia does not extend its intercepting sewer system beyond the City limits. As such, any suburban community wishing to have the City of Philadelphia satisfy its wastewater treatment and disposal needs must construct any intercepting sewer from its collection system to the City limits at its own expense. It is safe to conclude that the cost of such an interceptor is beyond the Community's financial ability to pay. " (Emphasis added).

The EAS then states that the procedure for obtaining federal assistance for interceptors will prevent haphazard growth. Finally, it states:

"In addition to these safeguards, no suburban community may connect to the Philadelphia sewer system without negotiating and executing a satisfactory contract with the City. Such agreements place terms and conditions upon the community and limit the amount of flow which may be diverted to the City's system.

This latter safeguard negates the possibility of overloading the plant. (Emphasis added).

These assurances and safeguards are essentially meaningless, given the current attitude of the City and EPA's failure to enforce mandatory permit requirements and construction schedules.

Even if we could believe that the increased flow to the Southwest plant was necessary to eliminate local pollution problems, EPA's credibility is seriously impaired by its failure to keep Philadelphia "on schedule." The end result is increased pollution of the Delaware Estuary. This makes other EPA, Region III, enforcement efforts in Zone 4 and New Jersey DEP's efforts nugatory. Furthermore, the increased nitrogenous oxygen demand on the Estuary affects downstream users by causing a delayed oxygen sag around Wilmington, Delaware.

-4-

May 19, 1976

For the above reasons, I urge you to call a Public Hearing on this permit amendment and to invite testimony from all interested groups including New Jersey DEP, Delaware DNR, boaters, environmentalists, and Delaware County residents.

I also urge you to take whatever legal steps you consider necessary to enforce the construction compliance schedule for the Southwest Plant.

Very truly yours,

*Albert J. Slap*

Albert J. Slap

AJS/clb

cc: The Honorable Richard S. Schweiker  
The Honorable James J. Florio  
The Honorable Pierre S. DuPont  
Maurice K. Goddard, Secretary  
David J. Bardin, Commissioner (DEP)  
N.C. Vasuki, Director (DEC)  
Robert J. Sugarman, Esquire  
Catharine Coyle  
Jean Diehl, CARP  
Thomas F. Luce, Esquire  
Paul G. Ludke  
Edward J. Lloyd, Esquire